

REMARKS

The Office Communication has requested Applicant under 37 CFR 1.105 and MPEP § 704.11(a)(G) to (1) disclose related co-pending applications and related patents, and (2) identify the specific claims of those applications and/or patents which may present double patenting issues with the instant application claims.

In response to inquiry (1), Applicant respectfully submits that similar subject matter as that of the present application is disclosed in at least the following applications/patents:

60/415,992 filed on October 5, 2002

09/893,122 filed on June 26, 2001 now USP 6,937,696

09/178,383 filed on October 23, 1998 now USP 6,621,889

09/178,385 filed on October 23, 1998 now USP 6,279,579

09/712,724 filed on November 14, 2000 now USP 6,690,965

09/178,384 filed on October 23, 1998 now abandoned

09/940,679 filed on August 27, 2001 now USP 7,204,254

10/234,658 filed on September 3, 2002 now USP 6,973,202

10/305,416 filed on November 25, 2002 now USP 6,980,679

10/327,603 filed on December 20, 2002 now USP 7,123,758

10/664,534 filed on September 16, 2003 now USP 6,959,266

10/957,009 filed on September 30, 2004

11/105,884 filed on April 13, 2005

11/116,699 filed on April 27, 2005

11/218,960 filed on September 1, 2005 now USP 7,191,100

11/580,696 filed on October 14, 2006

10/678,741 filed on October 3, 2003

10/454,754 filed on June 3, 2002 now abandoned


09/823,945 filed on November 2, 2003 now abandoned

In response to inquiry (2), Applicant respectfully submits that information requested under 37 CFR 1.105 must be factual information, and that Applicant cannot be requested to formulate an opinion, such as an opinion regarding the patentability of a claim. See MPEP § 704.11. As such, Applicant cannot be required under 37 CFR 1.105 to identify specific claims of applications and/or patents which may present double patenting issues with the claims of the instant application. However, should there be any additional factual information that the Examiner needs in order to make a determination of a double-patenting rejection, Applicant would be glad to provide such information to assist the Examiner.

If the Examiner has any questions or comments regarding this response, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,

Dated: July 2, 2007

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